

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: JASON MICHAEL BOYCHUCK,)	Chapter 13
)	
Debtor)	Bk. No. 18-11895-AMC
)	

DEBTOR'S SUPPLEMENTAL ANSWER TO MOTION FOR RELIEF FROM STAY, FILED BY PNC BANK, N.A.

Jason Michael Boychuck, the above-named Debtor, by and through his undersigned counsel, objects to the foregoing Motion for Relief from Stay filed by PNC Bank ("PNC"), and by way of supplementing his previously filed Answer to PNC' Motion, avers as follows:

1. In addition to the mortgage payment of \$1,400.00 made by Debtor on July 16, 2021, but ignored by the PNC Motion, and the double mortgage payment made by Debtors on August 3, 2021, Debtor has made yet another mortgage payment in the amount of \$1,435 on September 10, 2021, which brings the PNC Mortgage indebtedness current to September, 2021.

Debtor intends to make yet another mortgage payment to PNC in the amount of \$1,400 on or about September 24th, and advises that he plans to make the October monthly payment on or about October 8, 2021.
2. Over the preceding eighteen months, Debtor's income has been adversely affected by the COVID pandemic, with his year-to-date income as much as thirty percent less than the same period in 2020, and in view of the policies underlying, as well as expressly stated, in 11 USC Section 1328(i), the Motion of PNC for relief from stay should be denied.

3. The total remaining balance upon the PNC Mortgage is slightly less than \$120, 000.

According to a current estimate of fair market value by realtor.com (the estimates by which are frequently conservative and less than actual selling prices), the debtor's residential real property has a value of \$235,000.00 (an equity cushion of close to the amount of the current PNC Mortgage indebtedness).

4. The PNC Motion lacks "cause", and therefore, should be denied.

WHEREFORE, Debtor prays that the Motion for Relief from Stay filed by PNC Bank be denied, and that he be granted such other and further relief to which he may be entitled.

Respectfully submitted,

/s/ W.J. Winterstein, Jr.

W.J. Winterstein, Jr.

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Attorney for Debtor

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CERTIFICATE OF SERVICE

The undersigned, of lawful age, hereby certifies that on September 21, 2021, he caused true copies of the foregoing Answer to the Motion of PNC for Relief from Stay, to be served upon the Chapter 13 Trustee and upon Rebecca Solarz, PNC's counsel of record, by electronic means.

/s/W.J. Winterstein, Jr.

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ORDER OVERRULING MOTION FOR RELIEF FROM STAY, FILED BY PNC BANK, NA

AND NOW, this ____ day of August, after notice and opportunity to be heard, and for good cause shown, it is hereby **ORDERED**, that the Motion for Relief from the Automatic Stay filed herein by PNC Bank, NA, is **DENIED**.

BY THE COURT:

Hon. Ashley M. Chan
U.S. Bankruptcy Judge

Interested parties:
W.J. Winterstein, Jr, Debtor's counsel
Rebecca Solarz, counsel for PNC Bank, NA
Scott F. Waterman, Ch. 13 Trustee